EMERY CELLI BRING CASE 1/21/14 CV -05845-LTS-JCF Document 25 Filed 08/03/12 Page 1 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2043572\*

Index no : 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

00 \*

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 2:07 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN ROSE AGRO at 75–20 ASTORIA BLVD, % DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" BROWN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Bald	29	6''2''	250
Other Fea	tures:				

That at the time of service as aforesaid, I asked C.O. "JOHN" BROWN whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post—paid wrapper addressed to said Defendant at 75–20 ASTORIA BLVD, % DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/03/2012

HARVEY TAULER

Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

SHEWA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMBRY CELLI BRING BASE 1414 YCM-05845-LTS-JCF Document 25 Filed 08/03/12 Page 2 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on OMAR ALSTON (SHIELD # 14091) at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN. CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
Other Feature	es: GLASSES			10.	1

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential nothindicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/03/2012

HARVEY TAUBER Notary Publy, State of New York No. 01TA4007012

Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRAN License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007



EMERY CELLI BRING AND 1:1117 CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 3 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042758\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on SANDY ARKHURST (SHIELD # 18507) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150

That at the time of service as aforesaid, I asked **MS MARIE** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TAUBER

Notary Public, State of New York

No. 01TA4667012 (Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 4 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042720**\*** 

Index no: 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/22/2012 at 12:20 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on HADDON BAILLIE (SHIELD # 10470) at 125-01 QUEENS BLVD, C/O NY CRIMINAL CT DEPT OF CORRECTION HOLDING PEN, Kew Gardens, NY 11415 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O.'JANE' GORDON, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Brown	40	5"9"	200

On 06/26/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post—paid wrapper addressed to said Defendant at 125—01 QUEENS BLVD, C/O NY CRIMINAL CT DEPT OF CORRECTION HOLDING PEN, Kew Gardens, NY 11415. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/26/2012

HARVEY TAUBER Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131 AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: ASHWINEE



EMBRY CELLI BRINCK REPORT & AND TO P. C.Y. O5845-LTS-JCF Document 25 Filed 08/03/12 Page 5 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-cv-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN BEHARI (SHIELD # 1603) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated helow:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	145
Other Feati	ires: GLASSES	11.2.4.0.1.0.7.4.1			

That at the time of service as aforesaid, I asked MS MARIE whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential for indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TAUBER Notary Public, State of New York No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 6 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-cv-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No:

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/19/2012 at 10:54 AM, I served the within SUMMONS DATED MAY 24, 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ANTONIO BRAVO (SHIELD # 17297) at DONALD J KRANSTON/CJB FACILITY, RIKERS ISLAND, WOODSIDE, NY in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CAPTAIN "JANE" PRESTLEY, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	48	5'4"	145

That at the time of service as aforesaid, I asked CAPTAIN "JANE" PRESTLEY whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/20/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at DONALD J KRANSTON/CJB FACILITY, RIKERS ISLAND, WOODSIDE, NY. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/27/2012

HARVEY TADBER
Notary Public State of New York
No. 01TA 667012
Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: MARIA



EMERY CELLI BRING CEASO: 1.111 CW-05845-LTS-JCF Document 25 Filed 08/03/12 Page 7 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2843562\*

Index no: 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on TODD BRISHNINSKY at 18–18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140

That at the time of service as aforesaid, I asked **CHRISTINE NIGEN** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370. That address being the actual place of business of the **Defendant**.

Copy mailed 1st class mail marked personal & confidential not indicating on the butside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/03/2012

HARVEY TAUBER

Notary Public State of New York No. 01TA4667012

Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007 (212) 233–3508 Clerk: Cindy

EMERY CELLI BRING GASS & List 1-CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 8 of 45 Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042740\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN ROBERT CRIPPS at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170
	Brown tures: MUSTACHE,BI		]40	5"10"	[170

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York No. 01SI4767841

Qualified in NEW YORK Commission Expires 12/31/2014 SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING TO BE A LIMING TO SUITABLE Age Service Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042741\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on LARRY DAVIS SR at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170
Other Feati	ires: MUSTACHE,BE	ARD			

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York

No. 01SI4767841 Qualified in NEW YORK

Commission Expires 12/31/2014

SHEUA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMBRY CELLI BRING ASSET 1: ALAD CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 10 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on MALCOM DAVIS (SHIELD #841) at 18-18 HAZEN STREET, % ANNA M KROSS CENTER, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Color of skin/race	Color of hair	Age	Height	Weight
Yellow	Black	45	5'4"	140
	00101 01 01111111100	COICE OF MAIN	COLOR OF SHARE STATES	Control of Man 1150 1151

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN STREET, % ANNA M KROSS CENTER, EAST ELMHURST, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/03/2012

HARVEY TAUBER

Notary Public, Style of New York No. 017A4667012

Oualified in BRONX

Commission Expires 12/31/2014

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMERY CELLI BRIN CASSE 1:11-CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 11 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042763\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 18798.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WALTER DEAN (SHIELD # 17183) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 06/29/2012

HARVEY TAUBER Notary Public, State of New York No. 011A4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILAGRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING ASSET 1:11 TO CY TO 5845-LTS-JCF Document 25 Filed 08/03/12 Page 12 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 2:07 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN EDMUND DUFFY at 75-20 ASTORIA BLVD, % DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" BROWN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Bald	29	6"2"	250

That at the time of service as aforesaid, I asked C.O. "JOHN" BROWN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, % DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAUBER Notary Public, State of New York No. 01TA46670 2

Qualified in BRONX

Commission Expires 12/31/2014

SHELLA GRANS

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING CASSOF, 1:1117CM-05845-LTS-JCF Document 25 Filed 08/03/12 Page 13 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No:

Plaintiff: MARK NUNEZ ET AL

Defendant: CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/19/2012 at 12:01 PM, I served the within SUMMONS DATED MAY 24, 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ASST DEPUTY WARDEN SHERMA DUNBAR (SHIELD #717) at 7520 ASTORIA BLVD, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" BAILEY, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black	32	6"1"	190
Other Fe	eatures: moustace				

That at the time of service as aforesaid, I asked C.O. "JOHN" BAILEY whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/20/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 7520 ASTORIA BLVD, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/27/2012

HARVEY TAUBER

Notary Public, State of New York No. 01TA4667012

Qualified in BKONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: MARIA



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Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



Index no : 11-CV-5845 (LTS) (THK)

Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

GERALD MURRAY, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/22/2012 at 1:56 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN FADIMA (SHIELD # 1298) at 1 HALLECK ST, C/O VERNON C BAIN CENTER, Bronx, NY 10474 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MISS HALL, **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

olor of skin/race	Color of hair	Age	Height	Weight
rown	Black	34	5'7"	150
		JUL DI DITTUTA	TIME COLUMN TARE	The state of the s

On 06/25/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 1 HALLECK ST, C/O VERNON C BAIN CENTER, Bronx, NY 10474. That address being the last known residence, usual place of abode of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/25/2012

HARVEY TAUBER Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

GERALD MURRAY

License#: 0872285

AAA Attorney Service Co. of NY Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLIBRIN CASC 124 LOCUM 05845-LTS-JCF Document 25 Filed 08/03/12 Page 15 of 45 Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### **AFFIDAVIT OF SERVICE**



\*2042747\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on FLORENCE FINKLE at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

eight	Wei	Height	Age	Color of hair	Color of skin/race	Sex
0	170	5"10"	40	Black/Grey	Brown	Male
<u>0</u>	170	5"10"	40		Brown atures: MUSTACHE,BF	

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post—paid wrapper addressed to said **Defendant** at 75–20 **ASTORIA BLVD**, C/O DEPT OF **CORRECTIONS**, **EAST ELMHURST**, NY 11370. That address being the **actual place of business of the Defendant**.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an aption against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York No. 01SI4767841

Qualified in NEW YORK Commission Expires 12/31/2014 SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007



Case 1:11-cv-05845-LTS-JCF Document 25 Filed 08/03/12 Page 16 of 45

Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no : 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

GERALD MURRAY, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/22/2012 at 1:56 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CORRECTION OFFICER GUTIERREZ (SHIELD # 11461) at 1 HALLECK ST, C/O VERNON C BAIN CENTER, Bronx, NY 10474 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MISS HALL, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	34	5'7"	150

On 06/25/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 1 HALLECK ST, C/O VERNON C BAIN CENTER, Bronx, NY 10474. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/25/2012

HARVEY TAUBER Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

GERALD MURRAY

License#: 0872285 AAA Attorney Service Co. of NY, Ing

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRINGER FIL: 1610-CM-05845-LTS-JCF Document 25 Filed 08/03/12 Page 17 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042745\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on MICHAEL HOURIHANE at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

SS.:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170
Other Feat	tures: MUSTACHE,BE	EARD			

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post—paid wrapper addressed to said **Defendant** at 75–20 **ASTORIA BLVD**, C/O **DEPT OF CORRECTIONS**, **East Elmhurst**, **NY 11370**. That address being the **actual place of business of the Defendant**. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person-to-be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York

No. 01SI4767841 Qualified in NEW YORK

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007 (212) 233–3508 Clerk: Cindy



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Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2042759\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CORY HUGHES (SHIELD # 18516) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150
Other Feat	ures: GLASSES				

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 06/29/2012

SHEILA GRANT

License#: 1220131 AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York,NY 10007

(212) 233-3508 Clerk: Cindy

HARVEY TAUBER

Notary Public, State of New York

No. 01TA4667012/ Qualified in BRONX

Commission Expires 12/31/2014



Case 1:11-cv-05845-LTS-JCF Document 25 Filed 08/03/12 Page 19 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2044349\*

Index no: 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No:

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/18/2012 at 2:21 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ASSISTANT DEPUTY WARDEN DANIELLE JOHNSON at 75–20 ASTORIA BLVD RM 350, C/O DOC HEADQUARTERS, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" BAKLEY, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Bald	32	5"10"	175

That at the time of service as aforesaid, I asked C.O. "JOHN" BAKLEY whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/20/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD RM 350, C/O DOC HEADQUARTERS, EAST ELMHURST, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/20/2012

HARVEY TAMBER

Notary Public State of New York

No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMERY CELLI BRIN CARAGO F1: Al Abraid Property O5845-LTS-JCF Document 25 Filed 08/03/12 Page 20 of 45 Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2042739\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

ss.:

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN RONALD JORGENSEN at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170
Other Fea	tures: MUSTACHE,BE	EARD			

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 75-20 **ASTORIA BLVD**, C/O DEPT OF **CORRECTIONS**, **EAST ELMHURST**, NY 11370. That address being the **actual place of business of the Defendant**.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York No. 01SI4767841

Qualified in NEW YORK Commission Expres 12/31/2014 SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007



EMERY CELLI BRIN CASE: 1:115 GV: 05845-LTS-JCF Document 25 Filed 08/03/12 Page 21 of 45 Suitable Age Service

UNITED STATES SOUTHERN DISTRICT OF NEW

### YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CORRECTIONS OFFICER KIRKLAND at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
Other Feat	ures: GLASSES				

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action, against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAUBUR

Notary Public, State of New York No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMERY CELLI BRING AS GENERAL ALADY G. Mr 05845-LTS-JCF Document 25 Filed 08/03/12 Page 22 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### **AFFIDAVIT OF SERVICE**



\*2042744\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CARMINE LABRUZZO at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170
Other Fe	atures: MUSTACHE,BH	EARD			

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York No. 01SI4767847

Qualified in NEW YORK

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007 (212) 233–3508 Clerk: Cindy



EMERY CELLI BRING ASSET 1: 11 JUNE 05845-LTS-JCF Document 25 Filed 08/03/12 Page 23 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ROBERT LAMAR (SHIELD # 18472) at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
Other Feat	ures: GLASSES				

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, EAST ELMHURST, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/03/2012

HARVEY TAUBER Notary Public, State of New York No. 011A4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMERY CELLI BRIN CASE: 1.11 СУ; 05845-LTS-JCF Document 25 Filed 08/03/12 Page 24 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ ET AL

Defendant: CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/03/2012 at 12:02 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on LOUIS LEONARD (SHIELD # 3479) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CTR, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MARIE PAUL. CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black/Grey	58	5'10"	160
Other Feat	ures: GLASSES				

That at the time of service as aforesaid, I asked MARIE PAUL whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CTR, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY PAUBER

Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

SHEILA ORANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 25 of 45

Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK





**\*2042771\*** 

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN MASSEY at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

ight	W	Height	Age	Color of hair	Color of skin/race	Sex
)	15	5'8"	52	Black	Brown	Female
)	15	5'8"	52	Black	Brown ares: GLASSES	terral several

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TALES R Notary Public, State of New York No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York,NY 10007 (212) 233–3508 Clerk: Cindy



EMERY CELLI BRINCERROFF LABAD CY-05845-LTS-JCF Document 25 Filed 08/03/12 Page 26 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



Index no: 11-cv-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN HERMAN MEDINA at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE. **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150

That at the time of service as aforesaid, I asked MS MARIE whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, G/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 06/29/2012

HARVEY TAUBER Notary Public, State of New York No. 01TA 667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING ASC 1.11 DOW, 05845-LTS-JCF Document 25 Filed 08/03/12 Page 27 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### **AFFIDAVIT OF SERVICE**



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ ET AL

Defendant: CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 2:07 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRÍAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN EVELYN MIRABAL at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, EAST ELMHURST, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" BROWN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Bald	29	6"2"	250

That at the time of service as aforesaid, I asked C.O. "JOHN" BROWN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, EAST ELMHURST, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAXBER Notary Public State of New York

No. 01TA4667012 Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING AS GENERAL ALLOW OF 05845-LTS-JCF Document 25 Filed 08/03/12 Page 28 of 45 Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



\*2042738\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on WARDEN KATHLEEN MULVEY at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, EAST ELMHURST, NY 11370 in the manner indicated below:

ss.:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Brown	Black/Grey	40	5"10"	170

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 75-20 **ASTORIA BLVD**, C/O **DEPT OF CORRECTIONS**, **EAST ELMHURST**, **NY** 11370. That address being the **actual place of business of the Defendant**.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York No. 01SI4767841

Qualified in NEW YORK

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007



EMERY CELLI BRINGER 1:11-CY-05845-LTS-JCF Document 25 Filed 08/03/12 Page 29 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



Index no: 11-cv-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ROBERT ORLANDI (SHIELD # 15929) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE. CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Color of skin/race	Color of hair	Age	Height	Weight
Brown	Black	52	5'8"	150
			Disale 52	Disals 50 51011

That at the time of service as aforesaid, I asked MS MARIE whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served

Sworn to and subscribed before me on

06/29/2012

HARVEY ZAUBER Notary Public, State of New York

No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMBRY CELLI BRINCKERHOFF 2: 31-11-CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 30 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/16/2012 at 10:06 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN THEO PRIMM (SHIELD # 1497) at 66–26 METROPOLITAN AVE, C/O CORRECTION ACADEMY RENTAR PLAZA, MIDDLE VILLAGE, NY 11381 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. WOMACK, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	34	5"7"	170
Other Feat	ures:	111111111111111111111111111111111111111			

On 07/17/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 66-26 METROPOLITAN AVE, C/O CORRECTION ACADEMY RENTAR PLAZA, MIDDLE VILLAGE, NY 11381. That address being the last known residence, usual place of abode of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an against the person to be served.

Sworn to and subscribed before me on

07/17/2012

HARVEY TAWBER Notary Public, State of New York No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA'GRAN'

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: MARIA



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 31 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





**\*2043576\*** 

Index no : 11-CV-5845 (LTS) (THK)

Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/16/2012 at 10:06 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on QUINN (SHIELD # 18532) at 66–26 METROPOLITAN AVE, C/O CORRECTION ACADEMY RENTAR PLAZA, MIDDLE VILLAGE, NY 11381 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. WOMACK, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	34	5"7"	170

On 07/17/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said **Defendant** at 66-26 METROPOLITAN AVE, C/O CORRECTION ACADEMY RENTAR PLAZA, MIDDLE VILLAGE, NY 11381. That address being the last known residence, usual place of abode of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/17/2012

HARVEY TAUBER Notary Public, State of New York No. 01TA4667642

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: MARIA



Suitable Age Service

UNITED STATES SOUTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 11:11 AM. I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on DEPUTY WARDEN ERIC RAMOS at 16-00 HAZEN ST, C/O OTIS BANTUM CORRECTION CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CORRECTION OFFICER MS HEWETT, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	53	5'2"	140

That at the time of service as aforesaid, I asked CORRECTION OFFICER MS HEWETT whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 16-00 HAZEN ST, C/O OTIS BANTUM CORRECTION CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

**NEIL SIMENSKY** Notary Public, State of New York No. 01SI4767841

Qualified in NEW YORK

Commission Expires 12/31/2014

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 33 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-cv-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on REMY (SHIELD # 17286) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TAUBER Notary Public, State of New York No. 01T 43667012

Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRAN License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRING CORS OF 1: 14 10 CVr 05845-LTS-JCF Document 25 Filed 08/03/12 Page 34 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



\*2043561\*

Index no: 11-CV-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

**SHEILA GRANT**, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on REGINALD ROTHWELL (SHIELD # 18101) at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
Other Feats	ures: GLASSES				

That at the time of service as aforesaid, I asked **CHRISTINE NIGEN** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAUBER

Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York,NY 10007



Case 1:11-cv-05845-LTS-JCF Document 25 Filed 08/03/12 Page 35 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



**\*2042764\*** 

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CORRECTION OFFICER SALLEY at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TAUBER

Notary Public, State of New York No. 01TA4667012

Qualified in BROWX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMERY CELLI BRINGE AGE FIL: 1810-CM: 05845-LTS-JCF Document 25 Filed 08/03/12 Page 36 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



\*2042748\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on DORA SCHRIRO at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Color of skin/race	Color of hair	Age	Height	Weight
Brown	Black/Grey	40	5"10"	170
	P	0.0101 0.0101111111	00101 01 010121010	00000 000000000000000000000000000000000

That at the time of service as aforesaid, I asked C.O. 'JOHN' HERNANDEZ whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York

No. 01SI4767841 Qualified in NEW YORK

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007



EMERY CELLI BRING Sept 1:11 In GV. P 05845-LTS-JCF Document 25 Filed 08/03/12 Page 37 of 45 Suitable Age Service

# UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2042742\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff: MARK NUNEZ E AL

Defendant: CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/25/2012 at 12:24 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on MARK SCOTT at 75–20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. 'JOHN' HERNANDEZ, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight	
Male	Brown	Black/Grey	40	5"10"	170	
Other Features: MUSTACHE, BEARD						

That at the time of service as aforesaid, I asked **C.O. 'JOHN' HERNANDEZ** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/27/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 75-20 ASTORIA BLVD, C/O DEPT OF CORRECTIONS, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Cindy

NEIL SIMENSKY
Notary Public, State of New York
No. 01SI4767841
Qualified in NEW YORK
Commission Expires 12/31/2014



EMBRY CELLI BRIN**CASO**: 12: 1612 CM: 05845-LTS-JCF Document 25 Filed 08/03/12 Page 38 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2942769\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN SISTRUNK at 09–09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150
Other Featur	res: GLASSES				

That at the time of service as aforesaid, I asked **MS MARIE** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 07/10/2012

NEIL SIMENSKY Notary Public, State of New York

No. 01SI4767841

Qualified in NEW YORK Commission Expires 12/31/2014 SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York,NY 10007



EMERY CELLI BRING AS GOFF & ALL OF UP 05845-LTS-JCF Document 25 Filed 08/03/12 Page 39 of 45 Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





\*2843581\*

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 12:47 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on EDWIN SLOLY (SHIELD # 2094) at RIKERS ISLAND, GANG INTELLIGENCE UNIT, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said C.O. "JOHN" DAVIS, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	White	Brown	48	5'11"	190

That at the time of service as aforesaid, I asked **C.O.** "**JOHN**" **DAVIS** whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at RIKERS ISLAND, GANG INTELLIGENCE UNIT, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

York

07/03/2012

HARVEY TAUBER Notary Public, State of No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110 New York, NY 10007

(212) 233-3508 Clerk: Lorraine



Case 1:11-cy-05845-LTS-JCF Document 25 Filed 08/03/12 Page 40 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

### AFFIDAVIT OF SERVICE



**\*2042756\*** 

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on JASON SOTO (SHIELD # 18062) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	145
Other Feat	ures: GLASSES				

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 06/29/2012

HARVEY TAUBER Notary Public, State of New York

No. 01TA46670//2 Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York,NY 10007



EMERY CELLI BRING 250-11. 11-15 CM-05845-LTS-JCF Document 25 Filed 08/03/12 Page 41 of 45 Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No:

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/19/2012 at 11:15 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CORRECTIONAL OFFICER LISA THOMAS SHIELD # 18576 at 11-11 HAZEN ST, C/O ROBERT N DAVOREN COMPLEX, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said "JANE" SMALLWOOD. CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	45	5'2"	130

That at the time of service as aforesaid, I asked "JANE" SMALLWOOD whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act,

On 07/20/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 11-11 HAZEN ST, C/O ROBERT N DAVOREN COMPLEX, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/20/2012

HARVEY TAUBER

Notary Public, State of New York No. 01TA466/002 Qualified in BRONX

Commission Expires 12/31/2014

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMERY CELLI BRINCKERHOFF 2:111-CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 42 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK

#### AFFIDAVIT OF SERVICE



Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

SS.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 11:11 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ERIC THOMPSON (SHIELD # 18488) at 16-00 HAZEN ST, C/O OTIS BANTUM CORRECTION CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CORRECTION OFFICER MS HEWETT, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	53	5'2"	140
Other Feat	ures:				11074 9.37

That at the time of service as aforesaid, I asked CORRECTION OFFICER MS HEWETT whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that Defendant is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 16-00 HAZEN ST, C/O OTIS BANTUM CORRECTION CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns at action against the person to be served.

Sworn to and subscribed before me on

06/29/2012

HARVEY TAUBER Notary Public, State of New York No. 01TA4667712

Oualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMBRY CELLI BRING AS G. 1.11 LOCY, 05845-LTS-JCF Document 25 Filed 08/03/12 Page 43 of 45 Suitable Age Scrvice

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIÁL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on TUTEIN (SHIELD # 1643 ) at 18-18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, **CO-WORKER OF THE DEFENDANT** a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
	ures: GLASSES	Dinen	1.12		12.70

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post—paid wrapper addressed to said Defendant at 18—18 HAZEN ST, C/O ANNA M KROSS CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667012
Qualified in BRONX
Commission Expires 12/31/2014

SHEILA

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007

(212) 233-3508 Clerk: Lorraine



EMBRY CELLI BRING ASE 12.1315 CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 44 of 45

Suitable Age Service

#### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





Index no: 11-CV-5845 (LTS) (THK) Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ ET AL

Defendant:

CITY OF NEW YORK, ET AL ETC.

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 07/02/2012 at 11:33 AM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on CAPTAIN WILLIAMS at 18-18 HAZEN ST, C/O ANNA N KROSS CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said CHRISTINE NIGEN, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Yellow	Black	45	5'4"	140
Other Feat	ures: GLASSES		39.35	111.4	

That at the time of service as aforesaid, I asked CHRISTINE NIGEN whether the Defendant was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 07/03/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 18-18 HAZEN ST, C/O ANNA N KROSS CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on

07/03/2012

HARVEY TAUBER

Notary Public, State of New York No. 01TA4667012

Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

License#: 1220131

AAA Attorney Service Co. of NY, Inc.

20 Vesey Street, Room 1110

New York, NY 10007



EMBRY CELLI BRING CASE 1:11-CV-05845-LTS-JCF Document 25 Filed 08/03/12 Page 45 of 45

Suitable Age Service

### UNITED STATES SOUTHERN DISTRICT OF NEW YORK





**\*2042762\*** 

Index no: 11-cv-5845 (LTS) (THK)
Date of Purchase: 05/24/2012

Office No: 1879.1

Plaintiff:

MARK NUNEZ E AL

Defendant:

CITY OF NEW YORK ET AL ETC

STATE OF NEW YORK COUNTY OF NEW YORK

ss.:

SHEILA GRANT, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the state of New York.

On 06/26/2012 at 12:30 PM, I served the within SUMMONS DATED MAY 24 2012 AND AMENDED COMPLAINT JURY TRIAL DEMANDED ELECTRONIC CASE FILING RULES & INSTRUCTIONS AND INDIVIDUAL PRACTICES OF JUDGE LAURA TAYLOR SWAIN on ATEEN WILLIAMS (SHIELD # 17038) at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370 in the manner indicated below:

By delivering and leaving a true copy or copies of the aformentioned documents with said MS MARIE, CO-WORKER OF THE DEFENDANT a person of suitable age and discretion.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Brown	Black	52	5'8"	150
Other Feat	ures: GLASSES	34 777 1.7-		132	

That at the time of service as aforesaid, I asked MS MARIE whether the **Defendant** was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that **Defendant** is not in the military service of the United States Government, or of the State of New York, as that term is defined in the statutes of the State of NewYork, or of the Federal Soldiers and Sailors Civilian Relief Act.

On 06/29/2012 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said Defendant at 09-09 HAZEN ST, C/O GEORGE R VIERNO CENTER, East Elmhurst, NY 11370. That address being the actual place of business of the Defendant. Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to and subscribed before me on 06/29/2012

HARVEY TAUBER Notary Public, State of New York

No. 01TA4667012 Qualified in BRONX

Commission Expires 12/31/2014

SHEILA GRANT

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